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E.O. 12958: DECL: CLOSURE OF ICTY
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SUBJECT: ICTY ACTION PLAN UPDATE NUMBER 3: AUGUST 18, 2006

Classified By: Ambassador Michael Polt, reasons 1.4 (b,d)

Summary

This cable describes GoS ICTY Action Plan implementation as of August 18, 2006.

¶1. (c) One month into the announcement of the Action Plan (AP), there is still no sign of a sustained and public senior-level effort to prepare the ground for a Mladic handover. Visiting ICTY officials shared our disappointment at the pace of work on the action plan, and agreed that the ultimate success of the plan will depend in large part on PM Kostunica's willingness to engage personally and committedly - both to signal to the public a change in policy away from "voluntary surrenders," and to signal to operational people that they will in fact get the political cover/backing they need if they succeed in locating and arresting Mladic. While statements by Ljajic and others over the weekend of August 19-20 show some movement on a media campaign, the few statements from the top levels of the government continue to refrain from calling for Mladic's arrest and instead consist of the usual half measures of affirming the government's commitment to "fulfill its international obligations." End summary.

ICTY Meetings

¶2. (c) Prior to our weekly meeting with Ljajic, DCM and poloff met August 18 with ICTY chief investigator Patrick Lopez-Terres at the local ICTY headquarters. He had come out of some preliminary Belgrade meetings August 14-15 and a trip to Montenegro August 16-17. He was scheduled to meet with the AP team after meeting with us (more on that below). It was clear after our discussions that we are of the same mind with regards to actions so far, i.e., unimpressed. Lopez-Terres said del Ponte is increasingly frustrated at the lack of progress, and still suspects local officials are withholding information. Lopez-Terres was a lot more focused on Vukcevic and his role, and was apparently looking for ways to put pressure on Vukcevic to do more to produce results. In particular, Lopez-Terres criticized Vukcevic's "hands-off" approach to the operational aspects of the Mladic hunt - in contrast to Croatian prosecutor Bajic's more energetic role in the Gotovina process. We shared with him our impression that Vukcevic, while honest and forthright, is not going to be in a position to make something happen until and unless Kostunica gets on board and makes it clear to his people that he is on board.

Actions

13. (c) Ljajic told us later in the day that the government had made a decision to dismiss General Krstic from his post at the Southern Serbia coordination body because of his pro-Mladic comments (as he had hinted in our first meeting - SEPTEL). We welcomed the news, but asked why this fact wasn't made public, as what would seem an obvious part of a vigorous media campaign. Ljajic somewhat sheepishly said going public would give Krstic a soapbox, so they didn't want to force the issue. We responded that this would just present another opportunity to move a vigorous media campaign forward, and reiterated that the government was missing an opportunity to show it is willing to act forcibly against those who contradict their (presumed) commitment to wrap up Mladic.

14. (s) Ljajic also told us the GoS had a new lead) a friend of Tolimir's wife was spotted taking some medications into Banja Luka) the indication being that they had some fresh leads on picking up Tolimir, but nothing more specific (though he did say at the end he was hopeful there would be something more substantial to report in the next 10-12 days).

15. (c) Ljajic said the GoS assessment now is that Mladic has developed a new support network, and they are trying to penetrate it, but they also had to face the possibility that Mladic might never be caught.

16. (c) Finally, Ljajic said Lopez-Terres had declared himself "impressed" after meeting with the AP team later in the morning. He said the team had passed to Lopez-Terres all their new activities (comprising just those items we have reported from our last two meetings - SEPTELS), and that Lopez-Terres seemed satisfied. We question whether Lopez-Terres would have been impressed with the modest additional information generated to date, given our conversations with him.

Media Plan

17. (c) Ljajic said a media team will be formed in the next week to develop a comprehensive plan that would include TV and radio spots on war crimes, leaking of investigative details to the press (as mentioned in previous meetings - SEPTELS), roundtables and seminars with prominent Serbian analysts and academics about war crimes and facing the past, and brochures and pamphlets explaining some of the war crimes committed during the Balkan wars. He also said he has a meeting scheduled with Kostunica the week of August 21, in which he will urge the PM to come out with a definitive public statement about Mladic (Note: The Ambassador plans to see Kostunica August 24, when the USG 11-point proposal will be high on the agenda. End note.). He asked for our help with (a) paying salaries or giving other financial support to the media team, and (b) appointing someone at the Embassy who could liaise with the team and help them craft their message. Ljajic was somewhat despondent on the ability of any media campaign to reverse public opinion overnight. We reminded him that the public needs little preparation for GoS action against Mladic - the GoS media strategy should be executed as additional pressure points on Mladic and his supporters.

18. (u) Following our meeting, there was a spate of ICTY-related statements in the local press throughout the weekend. Some were good - Ljajic noting his expectation that Mladic would have to be arrested, FONMIN Draskovic's (apparently uncoordinated) statement that the government should prepare a media plan to explain to the Serbian people the heinous crimes of which Mladic is accused, and a statement by Bishop Grigorije of Hercegovina that his congregation would not tolerate war criminals walking the streets of their town (Trebinje). In addition, local media (quoting unnamed government sources) reported on Krstic's removal as deputy chief of the southern Serbia coordinating body (SEPTEL) for making pro-Mladic statements.

19. (u) Unfortunately, the "government source" portrayed the removal as at the insistence of the international community,

not as the principled act of a responsible government. Notably, there has been no official statement from the government about the removal. In addition, both Kostunica and Local Government Affairs Minister Loncar made ICTY-related statements over the weekend, but both sidestepped the issue of arresting Mladic and instead stuck to repetitions of the "fulfilling Serbia's international obligations" line (though both did refer to Mladic's "handover" to ICTY). Government spokesman Djuric made a similar statement, forgoing an opportunity to call for Mladic's arrest but putting particular emphasis on the need to arrest former Bosnian commander Dudakovic (for his command responsibility in war crimes appearing on recently-released videos from Operation Storm and/or other engagements).

Comment

¶10. (c) Operationally, Ljajic seems confident new leads are developing, though he cautioned that they are no nearer the "final prize." Political buy-in from the high level people who matter is still far from apparent one month into the AP. We reminded Ljajic that del Ponte may make an assessment as early as mid-September; that this assessment would have a significant impact on the EU's decisions regarding restarting SAA talks; and that MINFIN Dinkic has promised to pull G-17 Plus out of the government (and perhaps bring it down) if talks haven't restarted by the end of September. The lukewarm (at best) reception Dinkic got for his "Plan Plus" proposal in Brussels August 17) Rehn essentially just reiterated that Mladic has to be in The Hague for talks to restart) only reinforces what we see as the EU's skepticism (shared by us) of Belgrade's political will.

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